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Rules, Regulations, Orders

TITLE 7—AGRICULTURE

BUREAU OF AGRICULTURAL ECONOMICS

[Amendment No. 1 to Service and Regulatory Announcements No. 93, 2d Rev.]

RULES AND REGULATIONS OF THE SECRETARY OF AGRICULTURE GOVERNING THE INSPECTION AND CERTIFICATION OF FRUITS, VEGETABLES, AND OTHER PRODUCTS

By virtue of authority vested in the Secretary of Agriculture by the provision in the act of Congress entitled "An Act making appropriations for the Department of Agriculture * * * for the fiscal year ending June 30, 1938, approved June 29, 1937, (50 Stat. 425), I, [H. A. Wallace,] Secretary of Agriculture, do hereby give public notice of the following amendment to become effective immediately to the Rules and Regulations of the Secretary of Agriculture governing the inspection and certification of fruits, vegetables, and other products (Service and Regulatory Announcements No. 93, Second Revision)[1] approved June 24, 1936.

Amend Regulation 7, Section 4, by addition of the following:

Provided further, That in computing the number of carlot fees for the purposes of this section the total of fees paid by an applicant for refund on any basis of charges other than the carlot as provided in Regulation 7, Sec. 1, Paragraph 1 shall be reduced to a carlot basis by dividing by 4.

In testimony whereof I have hereunto set my hand and caused the official seal of the Department of Agriculture to be affixed, in the City of Washington, this 18th day of June 1938.

[SEAL] H. A. WALLACE,
Secretary of Agriculture.

[F. R. Doc. 38-1747; Filed, June 20, 1938; 11:44 a. m.]

[1] 1 F. R. 654.

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

BUREAU OF ANIMAL INDUSTRY

[B. A. I. Order 365]

REGULATIONS GOVERNING THE RECOGNITION OF BREEDS AND BOOKS OF RECORD OF PUREBRED ANIMALS

Under authority of paragraph 1606 of the act of Congress approved June 17, 1930 entitled "An act to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes", the following regulations are issued governing the recognition of breeds and books of record of purebred animals imported into the United States for breeding purposes. For purposes of identification these regulations are designated as B. A. I. Order 365 and supersede all previous regulations on the same subject. They shall become and be effective on and after July 15, 1938.

Done at Washington this 17th day of June 1938. Witness my hand and the seal of the Department of Agriculture.

[SEAL] H. A. WALLACE,
Secretary of Agriculture.

PARAGRAPH 1606 (A) (B) OF THE TARIFF ACT OF 1930

Extract from "The act to provide revenue, to regulate commerce with foreign countries, to encourage the industries of the United States, to protect American labor, and for other purposes," approved June 17, 1930 (U. S. C., Sup. VII, Title 19, Sec. 1201), is as follows:

Par. 1606. (a) Any animal imported by a citizen of the United States specially for breeding purposes, shall be admitted free, whether intended to be used by the importer himself or for sale for such purposes, except black or silver foxes: *Provided*, That no such animal shall be admitted free unless pure-bred of a recognized breed and duly registered in a book of record recognized by the Secretary of Agriculture for that breed: *Provided further*, That the certificate of such record and pedigree of such animal shall be produced and submitted to the Department of Agriculture, duly authenticated by the proper custodian of such book of record,

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FEDERAL REGISTER

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together with an affidavit of the owner, agent, or importer that the animal imported is the identical animal described in said certificate of record and pedigree. The Secretary of Agriculture may prescribe such regulations as may be required for determining the purity of breeding and the identity of such animal: *And provided further*, That the collectors of customs shall require a certificate from the Department of Agriculture stating that such animal is purebred of a recognized breed and duly registered in a book of record recognized by the Secretary of Agriculture for that breed.

(*b*) The Secretary of the Treasury may prescribe such additional regulations as may be required for the strict enforcement of this provision.

DIRECTIONS CONCERNING FREE ENTRY OF PUREBRED ANIMALS IMPORTED FOR BREEDING PURPOSES

Address all questions relating to duties to the United States collector of customs at the port of entry. In all cases the duty is assessed or bond given for its payment at the time of entry. Refund is made or the bond canceled after the importation has been certified as purebred.

The Department of Agriculture issues the certificate of pure breeding which the collector of customs requires as one of the conditions of free entry. The certificates are issued only if the following requirements are met:

1. The importer must be an American citizen.

2. The horse, bovine, sheep, swine, goat, dog, or cat must be registered in one of the foreign books of record listed in this order, or must be acceptable for registry by an American breed record association having reciprocity with the foreign association with which it is recorded.

3. The animal must be accompanied at the United States port of first arrival by:

a. Pedigree certificate.

b. Complete transfer of ownership from foreign breeder to American importer.

4. After the animal has been examined by a Federal inspector, the pedigree certificate and transfer must be forwarded to the Bureau of Animal Industry, Washington, D. C. They will later be returned to the sender.

5. Description of the animal taken at port of entry must agree with pedigree certificate as to age, sex, color markings, and other identification such as eartag and tattoo markings.

6. An application for certificate of pure breeding must be made showing:

a. Number of animals imported, their breed and sex.

b. Port of arrival into the United States.

c. Name of vessel, express company, or other carrier.

d. Date of arrival.

e. Name and address of importer.

7. An affidavit of identity must be furnished, signed by the importer or his agent, stating that the animals are identical with those described in the accompanying pedigree certificates. This must be acknowledged before an officer having authority to administer oaths, who must attach his official seal thereto.

Importers may obtain from Federal officials at port of entry or from the Bureau of Animal Industry, Washington, D. C., application and affidavit forms for use in applying for the certificate of pure breeding. These forms are:

1. A. H. Form 105, Application for Certificates.

2. A. H. Form 283, Affidavit of Identity.

Address all communications regarding this order to: Chief, Bureau of Animal Industry, United States Department of Agriculture, Washington, D. C.

REGULATIONS

Regulation 1.—Certification of Purebred Animals

SECTION 1. *Issuance of certificates of pure breeding.*—The Bureau of Animal Industry of the Department of Agriculture shall issue certificates of pure breeding under the provisions of this order and forward them to the collector of customs at the port of entry.

SEC. 2. *Requirements for issuance of certificates of pure breeding.*—

PARAGRAPH 1. *Application for certificates.*—An application for certificates shall be made to the Bureau of Animal Industry on forms furnished or approved by the Department, showing the number of animals imported, the breed and sex, the port of arrival into the United States, customs entry number, the name of the vessel or carrier by which shipped, and the date of arrival. This application may be signed by either the owner, agent, or importer, stating the name and address (in the United States) of the owner of the animal or animals.

PAR. 2. *Certificates of pedigree.*—Certificates of pedigree for such animals, issued by the custodian of a book of record given in regulation 2, section 2, of this order, or which are acceptable to an American registry association having reciprocity with the foreign association in the registration of animals, shall be furnished to the Bureau of Animal Industry. They will later be returned to the sender.

PAR. 3. *Transfer of ownership.*—Complete transfer of ownership from the breeder to the importer shall be furnished, such transfers to be recorded on the pedigree certificates, or on official certificates of transfer of the registry association.

PAR. 4. *Affidavit of identity.*—An affidavit, duly acknowledged before an officer having authority to administer oaths and bearing his official seal, from the owner, agent, or importer, that the animals so imported are the identical animals described in the certificates of pedigree, shall be furnished to the Bureau of Animal Industry.

SEC. 3. *Examination of animals.*—An examination (for the purpose of determining identity) shall be made by an authorized Federal inspector at the coast or border port of arrival of all animals imported under these regulations. All such animals must be accompanied to the United States customs port of first arrival with pedigree certificates and transfers in order that identification may be accomplished. If the animals are moved from such port prior to the presentation of the pedigree certificates and transfers, such action shall constitute a waiver of any further claim to certification under these regulations. Descriptions of animals taken by the Federal inspector must agree with the records for these animals as given in the pedigree certificates. The certificates of pure breeding will not be issued until these descriptions are received in Washington, D. C.

SEC. 4. *Eligibility of animals.*—When the provisions of this order have been otherwise complied with, animals will be certified as purebred which have been fully registered in good faith in a book of record for one of the recognized breeds given in regulation 2, section 2, of this order, except those which have been registered on inspection, without regard to purity of breeding.

Regulation 2.—Recognition of Breeds

SECTION 1. *Current books of record required.*—Custodians of books of record

for recognized breeds should forward volumes of their books of record as soon as published in order to receive continued recognition. Address such books to the Chief of the Bureau of Animal Industry, in care of the United States dispatch agent, 45 Broadway, New York, N. Y., U. S. A.

SEC. 2. *Recognized breeds and books of record.*—The following books of record of breeds of domestic animals are recognized:

PAR. 1. *Breeds and books of record in countries other than Canada, as follows:*

CATTLE

Name of breed	Book of record	By whom published
Aberdeen-Angus	Aberdeen-Angus Herd Book.	Aberdeen-Angus Cattle Society, James R. Barclay, secretary, 91 Union Street, Aberdeen, Scotland.
Africander	Africander Section of the South African Stud Book.	South African Stud Book Association, W. Smith, secretary, Whiteco House, St. Andrew Street, Bloemfontein, Union of South Africa.
Alderney	Herd Book of the Bailiwick of Guernsey (Alderney Branch).	Royal Alderney Agricultural Society (The Alderney Branch of the Royal Guernsey A. and H. Society), G. H. Thrussell, secretary, High Street, Alderney, Channel Islands.
Ayrshire	Ayrshire Herd Book	Ayrshire Cattle Herd Book Society of Great Britain and Ireland, Hugh Bone, secretary, 58 Alloway Street, Ayr, Scotland.
Charolaise	Herd Book De La Race Bovine Charolaise.	Syndicat Central D'Exportation De La Race Bovine Charolaise, Etienne Chatelin, secretary, 9, Rue Gambetta, Nevers, France.
Devon	Davy's Devon Herd Book.	Devon Cattle Breeders' Society, A. E. Gerrard, secretary, Wivelscombe, Somerset, England.
Dexter	Dexter Herd Book	Dexter Cattle Society, Edward Ashby, secretary, 19 Bloomsbury Square, London, W. C. 1, England.
Galloway	Galloway Herd Book	Galloway Cattle Society of Great Britain and Ireland, James Carlyle, secretary, Minson, Waterbeck, Lockerbie, Dumfriesshire, Scotland.
Guernsey	English Guernsey Herd Book.	English Guernsey Cattle Society, Robert F. Ling, secretary, 12 Hanover Square, London, W. 1, England.
Do	Herd Book of the Bailiwick of Guernsey (Guernsey Branch).	Royal Guernsey Agricultural and Horticultural Society, Ernest de Garis, secretary, States arcade, Guernsey, Channel Islands.
Hereford	Herd Book of Hereford Cattle.	Hereford Herd Book Society, W. G. C. Britten, secretary, 3 Offa Street, Hereford, England.
Highland	Highland Herd Book	Highland Cattle Society of Scotland, Angus Cameron, secretary, 182 Eastwood Mains Road, Clarkston, Glasgow, Scotland.
Holstein-Friesian	Friesch Rundvee-Stamboek.	Vereeniging: "Het Friesch Rundvee-Stamboek," dr. E. van Walderen Baron Rengers, secretary, Zuiderplein 2-4, Leeuwarden, Netherlands.
Do	Nederlandsch Rundvee-Stamboek.	Vereeniging: "Het Nederlandsche Rundvee-Stamboek," Ir. H. Wibbens, secretary, 24 Surinamestraat, The Hague, Netherlands.
Jersey	Jersey Herd Book	Royal Jersey Agricultural and Horticultural Society, H. G. Shepard, secretary, 3 Mulcaster Street, St. Helier, Jersey, Channel Islands.
Do	English Jersey Herd Book.	English Jersey Cattle Society, Edward Ashby, secretary, 19 Bloomsbury Square, London, W. C. 1, England.
Kerry	British Kerry Cattle Herd Book.	British Kerry Cattle Society, M. R. Leather, secretary, 12 Hanover Square, London, W. 1, England.
Do	Kerry Cattle Herd Book.	Royal Dublin Society, J. Henketh Carnegie, editor, Ball's Bridge, Dublin, Ireland.
Norman	Herd-Book de la Race Bovine Normande Pure.[1]	L'Association du Herd-Book Normand, Léon Hédiard, secretary general, Caen, France.
Red Danish	Stambog over Kær af Rød Dansk Malkerace.	De Samvirkende Danske Landboforeningers, M. Nielsen, registrar, Axelborg 4 Sal, Copenhagen V, Denmark.
	Stambog over Tyre af Rød Dansk Malkerace.	
	Register-Stambog over Kvæg af Rød Dansk Malkerace.	
Red Poll	Red Poll Herd Book	Red Poll Cattle Society of Great Britain and Ireland, C. H. Clarke, secretary, 29 Warrington Road, Ipswich, England.
Shorthorn	Coates's Herd Book	Shorthorn Society of the United Kingdom of Great Britain and Ireland, Leonard Bull, secretary, Victoria House, Southampton Row, London, W. C. 1, England.

[1] Provided that no cattle registered in this book shall be certified as purebred unless a certificate, giving three generations of complete and recorded purebred ancestry, issued by the association named, is submitted for each animal.

CATTLE—Continued

Name of breed	Book of record	By whom published
South Devon	Herd Book of South Devon Cattle.	South Devon Herd Book Society, S. Arthur Yeo, secretary, 3 West Street, Okehampton, Devon, England.
Sussex	Sussex Herd Book	Sussex Herd Book Society, A. G Holland, secretary, 12 Hanover Square, London, W. 1, England.
Welsh	Welsh Black Cattle Herd Book.	Welsh Black Cattle Society, G. O. Thomas, secretary, Bank Chambers, Bangor, North Wales.

HORSES

Name of breed	Book of record	By whom published
Arabian	General Stud Book	Weatherby & Sons, 15 Cavendish Square, London, W. 1, England.
Do	Stud Book Argentino	Jockey Club, Felix Alzaga Unzue, president, Buenos Aires, Argentina.
Do	Registro-Matricula de Caballos de Pura Sangre.	General Livestock Administration, The Minister of Agriculture, Madrid, Spain.
Do	Stud Book Français Registre des Chevaux de Pur Sang.	Commission du Studbook Français de Pur Sang, M. de Villaine, director of Haras for the Minister of Agriculture, Paris, France.
Belgian	Stud-Book des Chevaux de Trait Belges.	Société Royale "Le Cheval de Trait Belge", Chevalier Hynderick de Thoulegoet, secretary, 60 rue Royale, Brussels, Belgium.
Cleveland Bay	Cleveland Bay Stud Book.	Cleveland Bay Horse Society, Tom Kirby, secretary, Great Ayton (Middlesbrough), Yorkshire, England.
Clydesdale	Clydesdale Stud-Book	Clydesdale Horse Society of the United Kingdom of Great Britain and Ireland, Samuel Mackenzie, secretary, 93 Hope Street, Glasgow, C. 2, Scotland.
East Prussian	Ostpreussisches Stutbuch für Warmblut Trakehner Abstammung.[1]	Ostpreussische Stuthuchgesellschaft, Dr. F. Schilke, secretary, Wallring, 30, Königsberg (Pr.) Germany.
Hackney	Hackney Stud Book	Hackney Horse Society, Robert F. Ling, secretary, 12 Hanover Square, London, W. 1, England.
Percheron	British Percheron Stud Book.	British Percheron Horse Society, Edward Ashby, secretary, 19 Bloomsbury Square, London, W. C. 1, England.
Do	Stud-Book Percheron de France.	Société Hippique Percheronne de France, E. Lemarié, secretary, 7 Rue Villette-Gaté, Nogent-le-Rotrou (E-&-L), France.
Shetland Pony	Shetland Pony Stud Book.	Shetland Pony Stud-Book Society, Robert W. Walker, secretary, 3 Golden Square, Aberdeen, Scotland.
Shire	Shire Horse Stud Book.	Shire Horse Society, A. G. Holland secretary, 12 Hanover Square, London, W. 1, England.
Suffolk	Suffolk Stud-Book	Suffolk Horse Society, Raymond Keer, secretary, 6 Church Street, Woodbridge, Suffolk, England.
Thoroughbred	Australian Stud Book	Australian Jockey Club and Victoria Racing Club, A. Loddon Yuille, keeper, 6 Bligh Street, Sydney, New South Wales, Australia.
Do	General Stud Book	Weatherby & Sons, 15 Cavendish Square, London, W. 1, England.
Do	New Zealand Stud Book.	New Zealand Racing Conference, H. R. Sellers, secretary, Dominion Building, Mercer and Wakefield Streets, Wellington, New Zealand.
Do	Registro-Matricula de Caballos de Pura Sangre.	General Livestock Administration, The Minister of Agriculture, Madrid, Spain.
Do	Stud Book Argentino	Jockey Club, Felix Alzaga Unzue, president, Buenos Aires, Argentina.
Do	Stud Book Français Registre des Chevaux de Pur Sang.	Commission du Studbook Français de Pur Sang, M. de Villaine, director of Haras for the Minister of Agriculture, Paris, France.
Welsh Pony and Cob.	Welsh Stud Book	Welsh Pony and Cob Society, T. A. Howson, secretary, Offices of the Royal Welsh Agricultural Society, Queen Buildings, Queen Street, Wrexham, North Wales.

[1] Provided that no horses registered in this book shall be certified as purebred unless a certificate, giving three generations of complete and recorded purebred ancestry, issued by the association named, is submitted for each horse.

ASSES

Name of breed	Book of record	By whom published
Poitou	Jack and Jennet Section of the Stud-Book ou Livre Généalogique des Animaux Mulassiers du Poitou.	Société Centrale d'Agriculture des Deux-Sèvres, Eugene Sagot, president, Niort, France.

SHEEP

Name of breed	Book of record	By whom published
Cheviot	Cheviot Sheep Flock Book.	Cheviot Sheep Society, George Davidson, secretary, 1 Bridge Street, Hawick, Scotland.
Corriedale	The Australasian Corriedale Society Flock Book.	The Australasian Corriedale Society, G. C. Somerville, secretary, Endeavour House, 33 Macquarie Place, Sydney, Australia.
Do	Corriedale Flock Book	The Corriedale Sheep Society, Inc., C. H. Lawrence, secretary, 154 Hereford Street, Christchurch, New Zealand.
Dorset Horn	Dorset Horn Flock Book.	Dorset Horn Sheep Breeders' Association, J. Dean Smith, secretary, Bank Chambers, Dorchester, Dorset, England.
Hampshire Down	Hampshire Down Flock Book.	Hampshire Down Sheep Breeders' Association, W. J. Wooff, secretary, 40 Canal, Salisbury, England.
Kent or Romney Marsh.	Kent or Romney Marsh Flock Book.	Kent or Romney Marsh Sheet Breeders' Association, W. A. Ball, secretary, Victoria House, Southampton Row, London, W. C. 1, England.
Kerry Hill	Kerry Hill Flock Book	Kerry Hill (Wales) Sheep Breeders' Association and Flock Book Society, Morris, Marshall, and Poole, secretaries, Newtown, Montgomeryshire, England.
Leicester	Leicester Flock Book	Leicester Sheep Breeders' Association, C. H. Simpson, secretary, Roselea, Hunmanby, Filey, Yorks, England.
Leicester (Border)	Border Leicester Flock Book.	Society of Border Leicester Sheep Breeders, Rose J. E. Grant, secretary, 11 St. Ronan's Terrace, Edinburgh, Scotland.
Lincoln	Flock Book of Lincoln Longwool Sheep.	Lincoln Longwool Sheep Breeders' Association, Fred P. Taylor, secretary, 184 High Street, Lincoln, England.
Oxford Down	Flock Book Oxford Down Sheep.	Oxford Down Sheep Breeders' Association, Maxwell & Stilgoe, secretaries, 21 Marlborough Road, Banbury, Oxon, England.
Ryeland	Ryeland Flock Book	Ryeland Flock Book Society, Ltd., William Henry Woodcock, secretary, St. Cuthbert's, Whitecross Road, Hereford, England.
Shropshire	Shropshire Flock Book.	Shropshire Sheep Breeders' Association and Flock Book Society, Alfred Mansell & Co., secretaries, College Hill, Shrewsbury, England.
Southdown	Southdown Flock Book.	Southdown Sheep Society, Inc., W. O. Stride, secretary, 63 East Street, Chichester, Sussex, England.
Suffolk	Suffolk Flock Book	Suffolk Sheep Society, Guy P. Lempriere, secretary, 24 Princes Street, Ipswich, England.
Wensleydale	Wensleydale Longwool Sheep Flock Book.	The Wensleydale Longwool Sheep Breeders' Association, J. B. Walker, secretary, Bearbank Farm, Grange-over-Sands, England.

GOATS

Name of breed	Book of record	By whom published
Saanen and Toggenburg.	British Goat Society Herd Book (Saanen and Toggenburg sections).	British Goat Society, H. E. Jeffery, secretary, The Cottage, Roydon, Diss, Norfolk, England.

HOGS

Name of breed	Book of record	By whom published
Large Black	Large Black Pig Society Herd Book.	Large Black Pig Society, B. J. Roche, secretary, 12 Hanover Square, London, W. 1, England.

HOGS—Continued

Name of breed	Book of record	By whom published
Berkshire Large White Middle White Tamworth	Herd Book of the National Pig Breeders' Association.	National Pig Breeders' Association, Alec Hobson, secretary, Victoria House, Southampton Row, London, W. C. 1, England.

DOGS [3]

Name of breed	Book of record	By whom published
Boxer	Boxer-Zuchtbuch	Fachschaft für Deutsche Boxer, Max Haunstetter, secretary, Osterwaldstrasse 6 b, München 23, Germany.
Dobermannpinscher	Zuchtbuch der Fachschaft für Dobermannpinscher.	Fachschaft für Dobermannpinscher, Walter Kappe, secretary, Lichtenrader Weg 3, Berlin-Buckow-West, Germany.
Foxhound	Foxhound Kennel Stud Book.	Masters of Foxhounds Association, Major Cecil A. Pelham, secretary, 3 St. James Square, London, S. W. 1, England.
Do	Welsh Hound Stud Book.	Welsh Hound Association, W. M. Llewellyn, secretary, Tynewydd, Hirwaun, Aberdare, England.
German Shepherd	Reichs - Zuchtbuch (Abteilung: Deutsche Schäferhunde).	Fachschaft für Deutsche Schäferhunde, Fr. Schneller, director, Ulmerstr. 3, Augsburg 3, Germany.
Great Dane	Stammbuch für Deutsche Doggen.	Deutscher Doggen-Verein, C. Narbe, secretary, Leipzigerstr. 74, Hanau a. M., Germany.
Greyhound	Greyhound Stud Book.	National Coursing Club, Sydney H. Dalton, secretary, 11 Haymarket, London, S. W. 1, England.
Do	Irish Greyhound Stud Book.	Irish Coursing Club, T. A. Morris, secretary, Davis Road, Clonmel, Ireland.
Harrier and Beagle	Harrier and Beagle Stud Book.	Association of Masters of Harriers and Beagles, J. Pawle, secretary, Little Havers, Bishop's Stortford, England.
Rottweiler	Reichs-Zuchtbuch (Abteilung: Rottweiler).	Fachschaft für Rottweiler, Fr. Basille, president, Rotenwaldstrasse 83 a, Stuttgart-W, Germany.
St. Bernard	Zuchtbuch der Fachschaft für Bernhardiner.	Fachschaft für Bernhardiner, Max Näther, secretary, Untermenzing, Post Allach bei München, Germany.
Schnausers and Pinschers.	Zuchtbuch der Fachschaft für Schnauzer und Pinscher.	Fachschaft für Schnauzer und Pinscher, Josef Best, Breeding Warden, Wehrheim im Taunus, Germany.
Various recognized breeds.	Irish Kennel Club Studbook.	Irish Kennel Club, Richard G. Quirk, secretary, 23 Eden Quay, Dublin, C. 8, Ireland.
Do	Kennel Club Studbook.	English Kennel Club, H. T. W. Bowell, secretary, 84 Piccadilly, London, W. 1, England.
Do	Livre des Origines de la Société Royale Saint-Hubert.	Société Royale Saint-Hubert, Maurice Puissant, secretary, Chaussée Saint-Pierre, 391, Brussels, Belgium.
Do	Livre des Origines Français.	Société Central Canine pour l'Amélioration des Races de Chiens en France, Paul Bert, secretary, 3 Rue de Choiseul, Paris 2, France.
Do	Norsk Hunde-Stambok	Norsk Kennelklub, Birger Berggraw, secretary, Akersgaten 184, Oslo, Norway.
Do	Schweizerisches Hundestammbuch.	Schweizerische Kynologischen Gesellschaft, C. Wittwer, secretary, Waldegg, Liebefeld bei Bern, Switzerland.
Do	Zuchtbuch für Rauhhaarige Terrier.	Fachschaft für Rauhhaarige Terrier, Heinrich Kaeuffer, president, Kelsterbach bei Frankfurt am Main, Germany.

[3] Provided that no dogs registered in books named shall be certified as purebred unless a three-generation certificate of pedigree issued by one of the associations named is submitted for each dog.

CATS [4]

Name of breed	Book of record	By whom published
Long-haired and Short-haired.	Register of the Governing Council of the Cat Fancy.	Governing Council of the Cat Fancy, H. F. Barrat, secretary, 14 Coleherne Road, London, S. W. 10, England.

[4] Provided that no cats registered in the book named shall be certified as purebred unless a three-generation certificate of pedigree issued by the Governing Council is submitted for each cat.

PAR. 2. *Books of record in Canada.*—The books of record of the Canadian National Live Stock Records, Ottawa, Canada, are recognized for the following breeds: *Provided*, That no animal or animals registered in the Canadian National Live Stock Records shall be certified by the Secretary of Agriculture as purebred unless such animal or animals trace only to animals which are proved to the satisfaction of the Department to be of the same breed:

CATTLE

Aberdeen-Angus	Guernsey
Ayrshire	Hereford
Brown Swiss	Jersey
Canadian	Red Poll
Galloway	Shorthorn

SHEEP

Blackface	Lincoln
Cheviot	Merino
Corriedale	Oxford Down
Cotswold	Rambouillet
Dorset Horn	Ryeland
Hampshire	Shropshire
Kerry Hill	Southdown
Leicester	Suffolk

HORSES

Belgian Draft	Shire
Clydesdale	Standardbred
Hackney	Suffolk
Percheron	Thoroughbred
Shetland Pony	Welsh Pony and Cob

HOGS

Berkshire	Large Black
Chester White	Poland China
Duroc-Jersey	Tamworth
Hampshire	Yorkshire

GOATS

Angora	Saanen
Nubian	Toggenburg

PAR. 3. *Holstein-Friesian cattle.*—The Holstein-Friesian Association of Canada, of which G. M. Clemons, of Brantford, Ontario, Canada, is secretary and editor, is recognized for the Holstein-Friesian breed registered in the Holstein-Friesian Herd Book of that association.

PAR. 4. *Dogs in Canada.*—The Canadian Kennel Club Stud Book (Canadian National Live Stock Records) is recognized for all the breeds of dogs registered therein: *Provided*, That no dog or dogs so registered shall be certified as pure-bred unless a three-generation certificate of pedigree issued by the Canadian Kennel Club is submitted for each dog.

Regulation 3.—Recognition of Additional Breeds

Application for recognition.—Before a book of record shall be added to those in this order, the custodian of such book of record shall submit to the Department a complete set of the published volumes of that book up to the date of making application, together with a copy of all rules and forms in force on said date affecting the registration of animals in said book.

[F. R. Doc. 38-1735; Filed, June 17, 1938; 12:21 p. m.]

TITLE 26—INTERNAL REVENUE

BUREAU OF INTERNAL REVENUE

[T. D. 4811]

INCOME TAX

RETURN OF INFORMATION BY CORPORATION WITHIN THIRTY DAYS AFTER ADOPTION OF A RESOLUTION OR PLAN FOR DISSOLUTION OR FOR LIQUIDATION OF THE WHOLE OR ANY PART OF ITS CAPITAL STOCK

To Collectors of Internal Revenue and Others Concerned:

PARAGRAPH A. Section 148 (d) of the Revenue Act of 1938, enacted May 28, 1938 (Public, No. 554, Seventy-fifth Congress, Third Session), provides:

SEC. 148. *Information by Corporations.*

* * * * *

(d) *Contemplated dissolution or liquidation.*—Every corporation shall, within thirty days after the adoption by the corporation of a resolution or plan for the dissolution of the corporation or for the liquidation of the whole or any part of its capital stock, render a correct return to the Commissioner, verified under oath, setting forth the terms of such resolution or plan and such other information as the Commissioner shall, with the approval of the Secretary, by regulations prescribe.

PAR. B. Section 62 of the Revenue Act of 1938 provides:

SEC. 62. *Rules and regulations.*

The Commissioner, with the approval of the Secretary, shall prescribe and publish all needful rules and regulations for the enforcement of this title.

PAR. C. Section 145 of the Revenue Act of 1938 provides:

SEC. 145. *Penalties.*

(a) Any person required under this title to pay any tax, or required by law or regulations made under authority thereof to make a return, keep any records, or supply any information, for the purposes of the computation, assessment, or collection of any tax imposed by this title, who willfully fails to pay such tax, make such return, keep such records, or supply such information, at the time or times required by law or regulations, shall, in addition to other penalties provided by law, be guilty of a misdemeanor and, upon conviction thereof, be fined not more than $10,000, or imprisoned for not more than one year, or both, together with the costs of prosecution.

(b) Any person required under this title to collect, account for, and pay over any tax imposed by this title, who willfully fails to collect or truthfully account for and pay over such tax, and any person who willfully attempts in any manner to evade or defeat any tax imposed by this title or the payment thereof, shall, in addition to other penalties provided by law, be guilty of a felony and, upon conviction thereof, be fined not more than $10,000, or imprisoned for not more than five years, or both, together with the costs of prosecution.

(c) The term "person" as used in this section includes an officer or employee of a corporation or a member or employee of a partnership, who as such officer, employee, or member is under a duty to perform the act in respect of which the violation occurs.

(d) For penalties for failure to file information returns with respect to foreign personal holding companies and foreign corporations, see section 340.

Pursuant to the authority contained in sections 62 and 148 (d) of the Revenue Act of 1938, the following regulations are hereby prescribed with respect to the return of information required to be rendered by every corporation within thirty days after the adoption of a resolution or plan for the dissolution of the corporation or for the liquidation of the whole or any part of its capital stock:

ARTICLE 148 (d)-1. *Return of information respecting contemplated dissolution or liquidation.*—Within thirty days after the adoption on or after May 28, 1938, of any resolution or plan for or in respect of the dissolution of a corporation or the liquidation of the whole or any part of its capital stock, the corporation shall file with the Commissioner of Internal Revenue, Washington, D. C., attention of the Income Tax Unit, Records Division, a correct return on Form 966, made under oath or affirmation and containing the information required by article 148 (d)-2 of these regulations and by such form. A like return shall be filed by the corporation in the case of any amendment of, or supplement to, a resolution or plan for or in respect of the dissolution of the corporation or the liquidation of the whole or any part of its capital stock adopted on, before, or after May 28, 1938, if such amendment or supplement was adopted on or after May 28, 1938.

ART. 148 (d)-2. *Contents of return.*—(a) *General.*—There shall be attached to and made a part of the return required by section 148 (d) of the Act and article 148 (d)-1 of these regulations a duly certified copy of the resolution or plan, together with any amendments thereof or supplements thereto, and such return shall in addition contain the following information:

(1) The name and address of the corporation;

(2) The place and date of incorporation;

(3) The date of the adoption of the resolution or plan and the dates of any amendments thereof or supplements thereto; and

(4) The collection district in which the last income tax return of the corporation was filed and the taxable year covered thereby.

(b) *Liquidation in December, 1938.*—In the event that the plan of liquidation (adopted after May 28, 1938) provides for a distribution in complete cancelation or redemption of all the capital stock of the corporation, and for the transfer of all the property of the corporation under the liquidation entirely within the month of December, 1938, such return shall, in addition to the information required by paragraph (a) of this article, contain the following information:

(1) A statement showing the number of shares of each class of stock outstanding on the date of the adoption of the plan of liquidation, together with a description of the voting power of each such class;

(2) A list of all the shareholders owning stock on the date of the adoption of the plan of liquidation, together with the number of shares of each class of stock owned by each shareholder, the certificate numbers thereof, and the total number of votes to which entitled on the adoption of the plan of liquidation; and

(3) A list of all corporate shareholders as of April 9, 1938, together with the number of shares of each class of stock owned by each such shareholder, the certificate numbers thereof, the total number of votes to which entitled on the adoption of the plan of liquidation, and a statement of all changes in ownership of stock by corporate shareholders between April 9, 1938, and the date of the adoption of the plan of liquidation, both dates inclusive.

(c) *Returns in respect of amendments or supplements.*—If a return in respect of any resolution or plan for or in respect of the dissolution of a corporation or the liquidation of the whole or any part of its capital stock has already been filed pursuant to section 148 (d) of the Act,

a return in respect of any amendment thereof or supplement thereto will be deemed sufficient if it gives the date such prior return was filed and contains a duly certified copy of such amendment or supplement and all other information required by these regulations and by Form 966 which was not given in such prior return. If no return was filed relative to the resolution or plan which is being amended or supplemented, the return relative to the amendment thereof or supplement thereto shall contain a duly certified copy of the resolution or plan which is being amended or supplemented, together with all amendments thereof and supplements thereto, and all other information required by these regulations and by Form 966.

[SEAL] GUY T. HELVERING,
Commissioner of Internal Revenue.

Approved, June 17, 1938.

STEPHEN B. GIBBONS,
Acting Secretary of the Treasury.

[F. R. Doc. 38-1749; Filed, June 20, 1938; 12:25 p. m.]

Notices

DEPARTMENT OF AGRICULTURE.

Agricultural Adjustment Administration.

[Docket No. A-77 O-77]

NOTICE OF HEARING ON PROPOSAL TO AMEND ORDER AND MARKETING AGREEMENT WHICH REGULATE HANDLING OF CITRUS FRUIT GROWN IN CAMERON, HIDALGO AND WILLACY COUNTIES IN THE STATE OF TEXAS

Whereas, under Public Act No. 10, 73rd Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended, the Secretary of Agriculture on the 9th day of July, 1937, issued Order No. 15 and Marketing Agreement No. 71,[1] which regulate the handling in interstate and foreign commerce and such handling as directly burdens, obstructs or affects interstate and foreign commerce in grapefruit and oranges grown in Cameron, Hidalgo and Willacy Counties in the State of Texas; and

Whereas, certain amendments to said marketing agreement and order have been proposed and have been incorporated into a proposed marketing agreement and order; and

Whereas, a hearing has been requested upon such amendments and the Secretary of Agriculture has reason to believe that amendments to said marketing agreement and order should be made; and

Whereas, under said act notice of a hearing is required in connection with a proposal to amend an order and marketing agreement and the General Regulations, Series A, No. 1,[1] as amended of the Agricultural Adjustment Administration, United States Department of Agriculture, provide for notice and an opportunity to be heard upon such proposal;

Now, therefore, pursuant to said act and the general regulations notice is hereby given of a hearing to be held in the Stephen F. Austin School Building, Weslaco, Texas, June 27, 1938, at 10:00 a. m. c. s. t. on a proposal to amend the marketing agreement and order regulating the handling in interstate and foreign commerce and such handling as directly burdens, obstructs or affects interstate and foreign commerce in grapefruit and oranges grown in Cameron, Hidalgo and Willacy Counties in the State of Texas.

This public hearing is for the purpose of receiving evidence as to the necessity of such amendments which would: (a) amend various definitions set forth in Article I of the order, (b) revise and add to certain duties of the Growers Industry Committee as set forth in Section 3 of Article II, (c) revise and add to certain provisions of Article III, relating to assessments and expenses, (d) completely revise Article IV relating to regulation of shipments, alter the base period for determination of past performance, and provide additional limitations upon allotment loan transactions, (e) completely revise Article V relating to regulation of grade and size and provide for compulsory grading by federal-state inspection, (f) provide for detailed handlers' weekly reports, shipping manifest reports, and other reports, and (g) provide for interchange of interstate and intrastate allotments. Like evidence will be received upon any other amendments that may be proposed at said hearing.

Copies of the marketing agreement and order incorporating said proposed amendments may be procured from the Hearing Clerk, Room 0318 South Building, United States Department of Agriculture, Washington, D. C.

[SEAL] H. A. WALLACE,
Secretary of Agriculture.

Dated: June 18, 1938.

[F. R. Doc. 38-1745; Filed, June 20, 1938; 11:44 a. m.]

Farm Security Administration.

[Administration Order 231 (Rev. 1)[2]]

DETERMINATION OF EQUITABLE DISTRIBUTION OF FUNDS APPROPRIATED FOR FISCAL YEAR ENDING JUNE 30, 1939, PURSUANT TO BANKHEAD-JONES FARM TENANT ACT

JUNE 18, 1938.

I. Pursuant to the provisions of Section 4 of Title I of the Bankhead-Jones Farm Tenant Act, there is attached hereto as Exhibit A, a schedule representing the equitable distribution of the money appropriated for the purposes of Title I, for the fiscal year ending June 30, 1939, among the several states and territories on the basis of farm population and the prevalence of tenancy, as determined by the Secretary of Agriculture.

II. The unencumbered balances of the previous fiscal year's allotment remaining in each state and territory will be withdrawn as of June 30, 1938, and redistributed equitably to the states and territories on the basis of farm population and the prevalence of tenancy as determined by the Secretary of Agriculture, and a revised schedule of allotments will be issued immediately thereafter.

III. No allotment shall be made to any state or territory in excess of the amounts so distributed.

[SEAL] Signed C. B. BALDWIN,
Acting Administrator.

Approved, June 18, 1938.

H. A. WALLACE,
Secretary of Agriculture.

[Exhibit A]

Equitable distribution of loan funds available for the fiscal year ending June 30, 1939, for Title I of the Bankhead-Jones Farm Tenant Act

Region I	$770,527.50
Connecticut	17,987.50
Delaware	29,085.00
Dist. of Columbia	217.50
Maine	21,935.00
Maryland	113,110.00
Massachusetts	17,420.00
New Hampshire	9,550.00
New Jersey	44,232.50
New York	191,742.50
Pennsylvania	297,070.00
Rhode Island	5,167.50
Vermont	23,010.00
Region II	1,145,002.50
Michigan	274,880.00
Minnesota	538,580.00
Wisconsin	331,542.50
Region III	3,421,045.00
Illinois	779,475.00
Indiana	463,955.00
Iowa	826,402.50
Missouri	790,395.00
Ohio	560,817.50
Region IV	3,979,047.50
Kentucky	835,150.00
North Carolina	1,318,965.00
Tennessee	1,040,477.50
West Virginia	249,537.50
Virginia	534,917.50
Region V	4,295,805.00
Alabama	1,538,827.50
Florida	154,057.50
Georgia	1,587,507.50
South Carolina	1,015,412.50
Region VI	3,762,602.50
Arkansas	1,218,890.00
Louisiana	942,225.00
Mississippi	1,601,487.50
Region VII	1,531,395.00
Kansas	479,462.50
Nebraska	492,762.50
North Dakota	259,522.50
South Dakota	299,647.50

[1] 2 F. R. 1426 (DI).

[1] 1 F. R. 155.

[2] 2 F. R. 2525 (DI).

Region VIII	$3,176,540.00
Oklahoma	1,058,392.50
Texas	2,118,147.50
Region IX	297,340.00
Arizona	30,665.00
California	227,407.50
Nevada	3,812.50
Utah	35,455.00
Region X	254,642.50
Colorado	131,662.50
Montana	93,100.00
Wyoming	29,880.00
Region XI	306,140.00
Idaho	97,612.50
Oregon	92,915.00
Washington	115,612.50
Region XII	355,095.00
New Mexico	61,927.50
Colorado	53,745.00
Texas	174,500.00
Oklahoma	11,405.00
Kansas	53,517.50
Territories	454,817.50
Alaska	1,297.50
Hawaii	217,610.00
Puerto Rico	235,910.00
Continental U. S. and Territories	23,750,000.00

[F. R. Doc. 38-1746; Filed, June 20, 1938; 11:44 a. m.]

DEPARTMENT OF THE INTERIOR.

National Bituminous Coal Commission.

[General Docket No. 15]

IN THE MATTER OF THE ESTABLISHMENT OF MINIMUM PRICES AND MARKETING RULES AND REGULATIONS

NOTICE OF AND ORDER FOR HEARING IN RE DETERMINATION OF WEIGHTED AVERAGE OF THE TOTAL COSTS OF THE TONNAGE PRODUCED WITHIN MINIMUM PRICE AREA NO. 1

Pursuant to act of Congress entitled "An Act to regulate interstate commerce in bituminous coal, and for other purposes" (Public, No. 48, 75th Congress, 1st Session), known as the Bituminous Coal Act of 1937, the National Bituminous Coal Commission hereby orders and directs:

1. Notice is hereby given to all interested parties that a hearing in this matter shall be held before the Commission commencing on the 6th day of July, 1938, at 10:00 A. M., in the Hearing Room of the Commission at 15th and Eye Streets, N. W., Washington, D. C., for the purpose of receiving evidence relating to the weighted average of the total costs per net ton of the tonnage of bituminous coal produced in the calendar year 1936, in each of Districts 1 to 8, inclusive, and so much of District 13 as is in Minimum Price Area 1, and evidence relating to any change or changes in wage rates, hours of employment, or other factors, exclusive of seasonal changes, substantially affecting costs, in each of said Districts which may have been established since January 1, 1936, to enable the Commission to determine the weighted average of the total costs of the tonnage for Minimum Price Area 1 (Districts 1, 2, 3, 4, 5, 6, 7, and 8, and so much of 13 as in Minimum Price Area 1) in the calendar year 1936, as adjusted, within the meaning of Section 4, Part II, of the Act, at which time all interested persons will be afforded an opportunity to be heard.

2. The District Boards of said Districts have submitted to the Commission, pursuant to its Order No. 240,[1] their determinations of the weighted average of the total costs of the total ascertainable tonnage produced in their respective Districts in the calendar year 1936, adjusted as aforesaid, as follows:

District No.:	*District board's determination (Per net ton)*
1	$2.3940
2	2.2948
3	1.8745
4	1.9755
5	3.5679
6	2.0167
7	2.2087
8	2.0535

upon which evidence will be received at such hearing.

3. The Division of Research and Statistics of the Commission has submitted to the Commission as evidence of weight in determining the adjusted 1936 costs the following computations of the weighted average of the actual costs of the ascertainable tonnage in each District and in Minimum Price Area 1 for the nine months period, April to December 1937, inclusive, the latest period for which cost data are available at the increased wage rates that became generally effective April 1, 1937, which costs are further adjusted to take account of known changes in Federal unemployment taxes, effective January 1, 1938, and to take account of the known effects of the tax imposed by the Bituminous Coal Act of 1937. (In the case of District 5, the actual costs for the nine-month period April to December 1937 have been combined with the three-month costs for January to March 1937, so adjusted as to raise the three-month costs to the level of the wage scale effective April 1.)

District No.:	*1936 tonnage*	*Cost per ton*
1	37,793,264	$2.37
2	69,116,894	2.22
3	22,203,799	1.86
4	22,392,066	1.95
5	618,121	3.82
6	4,247,196	2.02
7	52,981,211	2.21
8	86,498,544	2.06
Total, Minimum Price Area 1	295,851,095	2.147

[1] 3 F. R. 935 (DI).

4. Any person desiring to offer affirmative evidence at such hearing shall, not later than the day preceding the date of said hearing, file with the Commission at its offices in Washington, D. C., a written appearance setting forth therein the nature of his interest and a concise written statement of the facts which he wishes to present. Such cross-examination as the Commission in its discretion deems proper will be permitted.

5. That the Secretary cause a copy of this Notice of and Order for Hearing to be published forthwith in the FEDERAL REGISTER and in two consecutive issues of a newspaper of general circulation in each of the aforesaid Districts and shall cause copies hereof to be mailed to each code member, the Consumers' Counsel and to the Secretary of each District Board, and to be made available for inspection by interested parties at each of the Statistical Bureaus of the Commission.

By Order of the Commission.
Dated this 16th day of June, 1938.

[SEAL] F. WITCHER MCCULLOUGH, *Secretary.*

[F. R. Doc. 38-1743; Filed, June 18, 1938; 10:44 a. m.]

FEDERAL POWER COMMISSION.

[Docket No. IT-5512]

IN THE MATTER OF THE CITY OF LOS ANGELES, A MUNICIPAL CORPORATION, AND DEPARTMENT OF WATER AND POWER OF THE CITY OF LOS ANGELES, COMPLAINANTS, VS. THE NEVADA-CALIFORNIA ELECTRIC CORPORATION, A CORPORATION, DEFENDANT

ORDER POSTPONING HEARING

JUNE 17, 1938.

Commissioners: Clyde L. Seavey, Acting Chairman; Claude L. Draper, John W. Scott, Basil Manly not participating.

It appearing to the Commission that: The complainants in the above cause have requested a postponement of the hearing now assigned at Los Angeles, California, on June 22, 1938,[1] due to the fact that a material and necessary witness, because of personal injury, will not be able to appear and testify during the course of the hearing beginning on June 22, 1938;

The Commission *orders* that: The hearing in the above cause now assigned at Los Angeles, California, on June 22, 1938, be postponed and continued to June 29, 1938, at 10 a. m., in Room 706, State Building, Los Angeles, California.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 38-1744; Filed, June 20, 1938; 9:52 a. m.]

[1] 3 F. R. 1396 (DI).

SECURITIES AND EXCHANGE COMMISSION.

SECURITIES EXCHANGE ACT OF 1934

AMENDMENT TO FORM 3-M, APPLICATION FOR REGISTRATION OF BROKER OR DEALER TRANSACTING BUSINESS ON OVER-THE-COUNTER MARKETS

The Securities and Exchange Commission, deeming it necessary for the exercise of the functions vested in it and necessary and appropriate in the public interest and for the protection of investors so to do, pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly Sections 15 (b) and 23 (a) thereof, hereby amends Form 3-M to read as set forth in the printed copies of Form 3-M marked "Revised June 15, 1938."[1]

The foregoing action shall be effective immediately upon publication.

By the Commission.

[SEAL] FRANCIS P. BRASSOR, *Secretary.*

[F. R. Doc. 38-1750; Filed, June 20, 1938; 12:53 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 20th day of June, A. D. 1938.

[File No. 32-89]

IN THE MATTER OF VIRGINIA PUBLIC SERVICE COMPANY

NOTICE OF AND ORDER FOR HEARING

An application pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named party;

It is ordered, That a hearing on such matter be held on July 11, 1938, at 10:00 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue, NW., Washington, D. C. On such day the hearing-room clerk in Room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to continue or postpone said hearing from time to time or to a date thereafter to be fixed by such presiding officer.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before July 6, 1938.

The matter concerned herewith is in regard to an application by Virginia Public Service Company, a subsidiary of a registered holding company, pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935, for exemption from the provisions of section 6 (a) of the issue and private sale of $677,000 principal amount of Newport News and Hampton Railway Gas and Electric Company (a constituent company) First and Refunding Mortgage 5% Gold Bonds, due January 1, 1944. It is stated that the proceeds are to be used solely to retire, at or before maturity, $677,000 Newport News and Old Point Railway and Electric Company First Mortgage Forty Year Five Per Cent Gold Bonds, due November 1, 1938, assumed by Applicant as successor company by merger as of December 31, 1926. The issue and sale of the Bonds was authorized by the State Corporation Commission of the Commonwealth of Virginia on May 27, 1938.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Recording Secretary.*

[F. R. Doc. 38-1752; Filed, June 20, 1938; 12:53 p. m.]

United States of America—Before the Securities and Exchange Commission

At a regular session of the Securities and Exchange Commission held at its office in the City of Washington, D. C., on the 20th day of June, A. D. 1938.

[File No. 32-95]

IN THE MATTER OF LAWRENCE GAS & ELECTRIC COMPANY

NOTICE OF AND ORDER FOR HEARING

An application pursuant to section 6 (b) of the Public Utility Holding Company Act of 1935, having been duly filed with this Commission by the above-named party;

It is ordered, That a hearing on such matter be held on July 7, 1938, at 10 o'clock in the forenoon of that day, at the Securities and Exchange Building, 1778 Pennsylvania Avenue, NW., Washington, D. C. On such day the hearing-room clerk in Room 1102 will advise as to the room where such hearing will be held. At such hearing, if in respect of any declaration, cause shall be shown why such declaration shall become effective.

It is further ordered, That Edward C. Johnson or any other officer or officers of the Commission designated by it for that purpose shall preside at the hearings in such matter. The officer so designated to preside at any such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said Act and to continue or postpone said hearing from time to time or to a date thereafter to be fixed by such presiding officer.

Notice of such hearing is hereby given to such declarant or applicant and to any other person whose participation in such proceeding may be in the public interest or for the protection of investors or consumers. It is requested that any person desiring to be heard or to be admitted as a party to such proceeding shall file a notice to that effect with the Commission on or before July 2, 1938.

The matter concerned herewith is in regard to an application filed by Lawrence Gas & Electric Company, a subsidiary of Massachusetts Light & Power Associates, in turn a subsidiary of New England Power Association, a registered holding company, concerning the issue and sale at no less than par of $1,500,000 principal amount of First Mortgage Bonds, Series A, due July 1, 1968, the proceeds of such issue to be devoted on or before August 1, 1938, to the redemption of the $1,500,000 principal amount of First Mortgage 4½% Twenty Year Gold Bonds, Series B, due August 1, 1940, being the total funded indebtedness of the applicant now outstanding.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Recording Secretary.*

[F. R. Doc. 38-1753; Filed, June 20, 1938; 12:53 p. m.]

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[1] Filed as a part of the original document with the Division of the Federal Register, The National Archives.